

**UNITED STATES DISTRICT COURT**  
**District of Minnesota**

Faegre & Benson, LLP, Felicia J. Boyd, and John  
H. Hinderaker,

**JUDGMENT IN A CIVIL CASE**

V.

Case Number: 03-6472 MJD/SRN

William S. Purdy, Sr., Please Don't Kill Your  
Baby, a Minnesota corporation, and Does 1-10,

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED THAT:**

1. Plaintiffs' Motion for Partial Summary Judgment and Entry of Permanent Injunction (Docket No 139) is GRANTED and summary judgment on liability only is granted for Plaintiffs on Counts 1,2,3, and 8 of the First Amended Complaint.

2. Defendants and their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Order are permanently enjoined from the following activity:

- a. Registering or using any domain name that both (1) incorporates, and is identical or confusingly similar to Faegre's distinctive and protected marks FAEGRE.COM or FAEGRE & BENSON LLP or any other marks identical or confusingly similar to any marks used or owned by Faegre, and (2) does not alert the internet user to the protest or critical commentary nature of the attached web sit within the language of the domain name itself;
- b. Registering or using the domain names faegre-benson.com, faegre-benson.org, faegre.biz, startribune-faegre-bensonlawfirm.com, startribune-faegre.com, faegrebensonlawfirm.com, Faegre.be, and hindrocket.com;
- c. Registering or using domain names that incorporate Plaintiffs' protected marks along with the name of another business, including but not limited to thewashingtonpost-faegrebensonconnection.com;
- d. Registering or using domain names that incorporate Plaintiffs' protected marks along with language related to Christianity, including but not limited to faegre-benson-christianperspective.com; faegre-benson-tencommandments.com; faegre-benson-jesus.com; faegre-benson-trialbyjesus.com; faegre-benson-jesus-hislittleones.com; startribune-faegre-benson-jesus.com, and faegre-benson-eighthcircuit-firstamendment-jesus.com;
- e. Registering or using domain names that incorporate Plaintiffs' protected marks along with political language, including but not limited to faegre-benson-voteforpresidentbush.com; faegre-bensonsupportsjohnkerry.com; johnkerrylovesfaegre-benson.com; faegre-johnkerry.com; john-faegre-kerry.com; and johnkerry-faegre-benson.com;
- f. Registering or using domain names that incorporate Plaintiffs' protected marks along with neutral term, including but not limited to faegre-benson-ethics.com;

g. Registering or using any trademark that is identical or confusingly similar to Faegre's distinctive and protected marks FAEGRE & BENSON LLP and FAEGRE.COM or any other mark used or owned by Faegre;

h. Illegally appropriating the names or likenesses of Plaintiffs and all individuals associated or affiliated with Plaintiffs. Defendants are enjoined from registering or using domain names that incorporate the names of individuals associated with Plaintiffs, including feliciaboyd.info, hindrocket.com, senatorHinderaker.com, and senatorHindrocket.com. Defendants are enjoined from using the names or likenesses of Plaintiffs and all individuals associated or affiliated with Plaintiffs to express support for the positions or messages of the Defendants, unless Defendants first obtain the written consent of Plaintiffs or the individuals associated or affiliated with Plaintiffs whose names or likeness is being used to express such support. Defendants withing 24hours of the issuance of this Order must remove from their web pages any and all such non-consensual expressions of support. In particular, Defendants must remove the statement: "William Purdy states that an unnamed source has identified the following attorneys at Faegre & Benson Law Firm that are HORRIFIED that their firm contributes to the KILLING of Innocent Children, and that have signed the in-house petition to the Faegre board to STOP John Hinderaker's and Faegre & Benson Law Firm's involvement in the KILLING" and must remove the listing of Faegre attorneys appearing subsequent to that statement. Defendants also must remove the following posts from their message boards:

(1) Faegre & Benson Law Firm - KILLERS OF CHILDREN !!! Judge Alito Agrees with Sonia Shewchuk 11/3/2005 1:54:07 AM

(2) I Agree Faegre Should Quit Funding Abortions Sonia Shewchuk 10/13/2005 3:08:07 AM

(3) No, Faegre doing the suing according to Debbie Kelly in Boulder Joan..... 10/12/2005 1:22:42 AM

(4) Faegre & Benson Law Firm Female Lawyer at Faegre 10/5/05 1:38:05 AM

(5) Faegre, Hinderaker, & ABORTION John Hinderaker

(6) I am ASHAMED for Faegre & Benson

3. Defendants and their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Order may use Faegre's trademarks in the metatags for their web sites only to the extent that they are, in good faith, describing the content of the web site and such persons may not use Faegre's trademarks in the metatags in order to divert internet users from Faegre's web site. Examples of the types of actions that would be indicative of bad faith include wholesale copying of Faegre's meta-description tags or HTML code, use of Faegre's marks in metatages attached to a site with a confusingly similar domain name, and use of Faegre's marks beyond what is necessary to accurately describe the contents of the web sites.

4. This Order applies to all persons and entities acting in concert with, or in the custody, care, and control of, Defendant William S. Purdy, Sr., including but not limited to all person or entities listed as registrants of or as technical or administrative contacts for, any of the following domain names: faegre-benson.com, faegre-benson.org, faegre.biz, startibune-faegre-bensonlawfirm.com, startribune-faegre.com, faegrebensonlawfirm.com, and Faegre.be.

5. All defendants and their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Order, shall pay a sum of \$500 per day for each day that they are in contempt of this Order.

6. Judgment shall be entered in favor of Plaintiffs on the accrued contempt fine of sixty-nine thousand five hundred dollars (\$69,500) awarded on April 27, 2005, plus thirty-seven thousand one hundred thirty-nine dollars and twenty cents (\$37,139.20) in attorneys fees awarded to Plaintiffs in the September 2, 2004, Contempt Order, plus accrued interest at an annual pre-judgment interest rate of 4% in the amount of three thousand seven hundred fifty-three dollars and seventy cents (\$3,753.70) as of March 15, 2006.

7. Plaintiffs' remaining claims, including all claims for compensatory and punitive damages, are dismissed without prejudice. Plaintiffs may reassert those claims within twelve months after entry of judgment (relating back to the date of the original complaint) if Defendants appeal the judgment entered upon this Order.

August 25, 2006

Date

RICHARD D. SLETTEN, CLERK

s/Rena L. Riemer

(By)

Rena Lexvold Riemer, Deputy Clerk